

JUSTIFICATION
FOR AN EXCEPTION TO FAIR OPPORTUNITY

1. Contracting Activity: Department of Veterans Affairs (VA)
Office of Acquisition Operations
Technology Acquisition Center
23 Christopher Way
Eatontown, NJ 07724
2. Description of Action: This proposed action is to include brand name specifications in a firm-fixed-price delivery order to be issued against the National Aeronautics and Space Administration (NASA) Solutions for Enterprise-Wide Procurement (SEWP) V Governmentwide Acquisition Contract (GWAC).
3. Description of the Supplies or Services: The VA, Office of Information and Technology (OI&T), Service Delivery and Engineering (SDE), Enterprise Operations (EO), Quantico Information Technology Center (QITC) requires Riverbed brand name accelerator hardware, software, and associated maintenance to support VA's requirements for Wide Area Network (WAN) acceleration for data and information processed by the QITC. These accelerators will also be used for device deployment under the enterprise WAN acceleration architecture to National Cemetery Administration cemeteries and administrative offices located throughout the United States. Delivery of accelerator hardware and software including installation and configuration shall occur within 60 days of delivery order award. The period of performance for the software support, hardware maintenance and one-time professional services for configuration support and related project management shall be 12 months from Government acceptance of installed accelerators.
4. Statutory Authority: The statutory authority permitting an exception to fair opportunity is Section 41 U.S.C. 4106(c)(2) as implemented by the Federal Acquisition Regulation (FAR) paragraph 16.505(b)(2)(i)(B), entitled "Only one awardee is capable of providing the supplies or services required at the level of quality required because the supplies or services ordered are unique or highly specialized."
5. Rationale Supporting Use of Authority Cited Above: Based on market research, as described in paragraph 8 of this justification, it was determined that limited competition is viable among authorized resellers for the required Riverbed brand name accelerators, software, maintenance, and support. VA currently uses Riverbed WAN accelerators in its network architecture across the VA enterprise. No other brand name hardware and software can provide a WAN acceleration product that is capable of executing data reduction and protocol optimization functions with VA's existing Riverbed WAN acceleration infrastructure components to seamlessly move data faster across the network. More specifically, it is the source code within the accelerators that will not allow for communication and acceleration with other brand products as the source code is based on Riverbed proprietary data. Connecting from different manufacturers will not produce any transmission acceleration (optimization) consistent with VA WAN acceleration requirements because the proprietary data precludes the accelerators from working together to move data across the network.

Riverbed Network Accelerators Technical Refresh - Phase 2
TAC-15-23185

6. Efforts to Obtain Competition: Market research was conducted, details of which are in section 8 of this justification. This effort did not yield any additional sources that can meet the Government's requirements. It was determined however, that limited competition is anticipated among resellers for Riverbed brand name accelerator hardware, software, and maintenance on the NASA SEWP V GWAC. In accordance with FAR 5.301 and 16.505(b)(2)(ii)(D), the award resulting from this action will be synopsisized and justification will be made publicly available on the Federal Business Opportunities Page within 14 days of award.

7. Actions to Increase Competition: The Government will continually conduct market research by surveying the marketplace to determine if there are any other WAN accelerators that can meet VA's needs.

8. Market Research: The Government's technical staff conducted market research from December 2014 through February 2015 by researching other similar hardware and software from Cisco and Barracuda to ascertain if other products could meet the Government's requirements for interoperability and compatibility within VA's existing WAN acceleration architecture currently composed of brand name Riverbed products. The Government's technical staff determined that the only product that could meet VA's needs was Riverbed brand network accelerators, which can be obtained only through Riverbed or an authorized reseller. No other accelerator can interoperate with current the VA WAN acceleration architecture.

Additional market research was conducted in May 2015 utilizing the NASA SEWP V Provider Lookup Tool. There were numerous resellers found that could provide Riverbed brand name products under North American Industry Classification System code 541519. If the required Riverbed brand name accelerator hardware, software, and associated maintenance are not already on a GWAC holders contract, each contract holder has a dynamic catalog whereby line items can be added based on customer requests; therefore, as long as the required item or service is within scope of the NASA SEWP GWAC, items and services can be added to a GWAC holder's catalog on a daily basis.

9. Other Facts: None.